

NOTICE OF OBJECTION TO CONFIRMATION

CALIBER HOME LOANS, INC. has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
401 Market Street, 2nd Floor  
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

Isabel C. Balboa  
Chapter 13 Standing Trustee  
Cherry Tree Corporate Center  
535 Route 38 - Suite 580  
Cherry Hill, NJ 08002

2. Attend the hearing scheduled to be held on \$bkHearingDate in the CAMDEN Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
401 Market Street, 2nd Floor  
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: August 20, 2018

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: nicholas.rogers@phelanhallinan.com

**File No. 813456**

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road  
Mt. Laurel, NJ 08054  
856-813-5500  
FAX Number 856-813-5501  
CALIBER HOME LOANS, INC.

In Re:

Raymond D. Neate  
Sheila D. Neate a/k/a  
Sheila D. Coles

Debtors

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

Chapter 13

Case No. 17-19216 - JNP

Hearing Date: \$bkHearingDate

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, CALIBER HOME LOANS, INC., the holder of a Mortgage on Debtors' residence located at 213 WASHINGTON AVENUE, EGG HARBOR CITY, NJ 08215-1327 hereby objects to the Confirmation of the Debtors' proposed Chapter 13 Plan on the following grounds:

1. On September 28, 2017, Secured Creditor filed a Proof of Claim listing pre-petition arrears in the amount of \$36,422.95.
2. Debtors' Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5). Debtors' Plan lists Secured Creditor under Part 4(f) as a secured claim unaffected by the Plan.
3. Debtors' Plan should be amended to fully fund the arrears owed to Secured Creditor. Absent a modification by the Debtors', confirmation of Debtors' proposed Plan should be denied.
4. Debtors' Plan fails to provide for the full monthly post-petition payment owed to Secured Creditor under the terms of the Note and Mortgage. Secured Creditor objects to any post-petition payment amount less than the full amount required. Accordingly, confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, CALIBER HOME LOANS, INC. respectfully requests that the Confirmation of Debtors Plan be denied.

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: nicholas.rogers@phelanhallinan.com

Dated: August 20, 2018

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

813456  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
856-813-5500  
Attorneys for CALIBER HOME LOANS, INC.

In Re:

Raymond D. Neate  
Sheila D. Neate a/k/a  
Sheila D. Coles

Case No: 17-19216 - JNP

Hearing Date: \_\_\_\_\_

Judge: JERROLD N. POSLUSNY JR.

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, MIGUEL ZAVALA:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents CALIBER HOME LOANS, INC. in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On August 21, 2018 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: August 21, 2018

/s/ MIGUEL ZAVALA  
MIGUEL ZAVALA

| Name and Address of Party Served   | Relationship of Party to the Case | Mode of Service   |
|--|-----------------------------------|---|
| Raymond D. Neate<br>213 Washington Ave.<br>Egg Harbor City, NJ 08215   | Debtor                            | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *)            |
| Sheila D. Neate a/k/a<br>Sheila D. Coles<br>213 Washington Ave.<br>Egg Harbor City, NJ 08215   | Debtor                            | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *)            |
| Steven A. Silnutzer, Esquire<br>335 E. Jimmie Leeds Road<br>Building 200, Suite C<br>Galloway, NJ 08205                              | Debtor's Attorney                 | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |
| Isabel C. Balboa<br>Chapter 13 Standing Trustee<br>Cherry Tree Corporate Center<br>535 Route 38 - Suite 580<br>Cherry Hill, NJ 08002 | Trustee                           | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular Mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |
|  |                                   |   |

|  |              |   |
|--|--------------|---|
| U.S. Trustee<br>US Dept of Justice<br>Office of the US Trustee<br>One Newark Center Ste 2100<br>Newark, NJ 07102 | U.S. Trustee | <input type="checkbox"/> Hand-delivered<br><input checked="" type="checkbox"/> Regular Mail<br><input type="checkbox"/> Certified mail/RR<br><input type="checkbox"/> E-mail<br><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)<br><input type="checkbox"/> Other _____<br>(as authorized by the court *) |
|--|--------------|---|

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.